

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

WAYNE WINCHESTER,  
Plaintiff,  
v.  
FPR II, LLC,  
Defendant.

Case No. [5:15-cv-01860-EJD](#)

**PRETRIAL ORDER (JURY)**

The above-entitled action is scheduled for a Trial Setting Conference on January 14, 2016. Based on the parties' Joint Trial Setting Conference Statement, the court has determined an appearance is unnecessary at this time. Accordingly, the Trial Setting Conference is VACATED and the parties are ordered to comply with the following schedule.

IT IS HEREBY ORDERED that, although the parties will not be excused from participating in mediation, the court is willing to extend the deadline for completion of ADR based on the mediator's assessment of the matter. At this time, the deadline to complete mediation is CONTINUED to February 29, 2016. This deadline may be extended further if, through a stipulation or administrative motion, the court is notified of the mediator's preference that Plaintiff personally attends the ADR session.

IT IS FURTHER ORDERED that Plaintiff's motion for an extension of the case management deadlines is DENIED WITHOUT PREJUDICE to being renewed through an administrative motion which demonstrates good cause under Federal Rule of Civil Procedure 16 for amendments to the scheduling order.

IT IS FURTHER ORDERED that the following schedule shall apply to this case:


EVENT	DATE
Final Pretrial Conference	11:00 a.m. on January 26, 2017
Joint Final Pretrial Conference Statement, Motions <i>in Limine</i> and Exchange of Exhibits	January 12, 2017
Voir Dire Questions, Proposed Jury Instructions, and Proposed Jury Verdict Forms	January 16, 2017
Jury Selection	9:00 a.m. on February 7, 2017
Jury Trial <sup>1</sup>	February 7-8, 2017; February 10, 2017; February 14-15, 2017; February 17, 2017
Jury Deliberations	February 21-21, 2017

IT IS FURTHER ORDERED that the parties shall comply with the Standing Order for Civil Cases, a copy of which is available from the Clerk of the Court,<sup>2</sup> with regard to all pretrial submissions.

The court advises the parties that this is the **final case schedule**. All parties are expected to comply as directed above. This schedule will not be amended further absent the presentation of good cause necessitating such an amendment.

**IT IS SO ORDERED.**

Dated: January 8, 2016

  
EDWARD J. DAVILA  
United States District Judge

<sup>1</sup> Jury trials will be held in full day sessions on Tuesdays, Wednesdays and Fridays, unless the Court specifies otherwise. On the date set for jury selection, counsel should be prepared to commence trial proceedings immediately after a jury is identified. The final trial schedule will be confirmed at the Final Pretrial Conference.

<sup>2</sup> A copy of Judge Davila's standing order is also available on the court's website at [www.cand.uscourts.gov](http://www.cand.uscourts.gov) by clicking first on the "Judges" button, then on Judge Davila's name, then on the link for "Judge Davila's Standing Orders," and finally on the link for "Standing Order for Civil Cases."